

**UNITED STATES DISTRICT COURT**

Western District of Arkansas

**U.S. Probation / Pretrial Services**

**Myron Smith**  
Chief U.S. Probation Officer

319 Federal Building and U. S. Courthouse  
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Fayetteville, Arkansas 72701  
(479) 442-9892  
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May 7, 2007

Honorable Jimm Larry Hendren  
Chief U.S. District Judge  
U.S. Courthouse  
35 East Mountain  
P.O. Box 6420  
Fayetteville, Arkansas 72701

**RE: BARNES, James Dale**  
**Dkt. #3:98CR30006-001**  
**Violation Report**

Dear Judge Hendren:

This is to seek the Court's guidance in the matter of supervision in the case regarding possible violation(s) of supervision on the above-named individual. The offender was sentenced by the Honorable H. Franklin Waters on August 17, 1999, for three counts of Money Laundering, to 105 months custody of the Bureau of Prisons on each count, and for two counts of Structuring transactions to Evade Reporting Requirement, to 60 months custody of the Bureau of Prisons on each count with all counts to run concurrently. Additionally, he was sentenced to a three-year term of supervised release on each count, all to run concurrently, a \$500 (paid) special assessment fee, and a \$5,000 fine. Supervision commenced on March 24, 2006, in the Western District of Arkansas, Fayetteville Division.

As you may recall, a violation report was submitted on May 17, 2006, in regard to the offender being charged with Driving While Intoxicated and Refusal to Submit. The Court instructed that the defendant be allowed to obtain outpatient treatment and await the outcome of the Harrison, Arkansas, District Court's ruling in his case.

On July 11, 2006, the offender entered outpatient counseling at Omart, but on July 25, 2006, he was unsuccessfully discharged due to his failure to follow the requirements of counseling. On August 8, 2006, offender reported as instructed to the Harrison Probation Office to discuss counseling options. Offender advised that he had put himself on the waiting list for outpatient treatment at Ozark Counseling Services (OCS). On October 19, 2006, follow-up contact was made with OCS to see when offender might begin counseling. At this time, they advised there was at least a 10 week waiting period. On February 23, 2007, offender advised that he had made contact with the Carol Jones Center in regard to outpatient alcohol abuse treatment since he still had not heard from OCS. Contact was made with Donna Moshier at the Carol Jones Center in Harrison, Arkansas, who

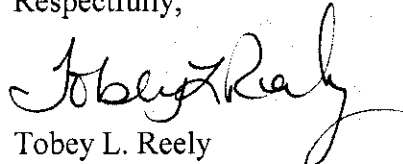
confirmed that offender would be attending outpatient treatment. On March 15, 2007, the Probation Office received notification that offender had completed 18 hours of Drug/Alcohol Education.

On April 23, 2007, offender pled guilty to Refusal to Submit to Test. He was fined \$425 and given \$105 in court costs and fees. He was found not guilty of Driving While Intoxicated.

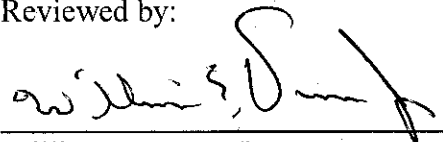
Based on the above information, it is recommended no action be pursued at this time, but to allow the defendant to continue on supervision.

If further information is needed, please advise.

Respectfully,

  
Tobey L. Reely  
U.S. Probation Officer

Reviewed by:

  
William E. Dunn, Jr.  
Supervising U.S. Probation Officer


☒ Pursue Course of Action

☐ Submit Petition for Violation

☐ Other \_\_\_\_\_

U. S. DISTRICT COURT  
WESTERN DISTRICT ARKANSAS  
FILED

MAY 15 2007

CHRIS A. JOHNSON, CLERK  
  
DEPUTY CLERK

  
Jimm Larry Hendren  
Chief U.S. District Judge

5/15/07  
Date